

HOUSE BILL 635

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 16, Part 4, relative to misconduct in the
disciplining of attorneys.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 4, is amended by
adding the following a new section:

39-16-410.

(a)

(1) It is an offense for any person appointed by the Supreme
Court to serve on any board or district committee charged with
investigating, hearing, and imposing discipline upon attorneys, or charged
with hearing reinstatement petitions, to knowingly engage in ex parte
communications of any kind and by any means concerning a case before
the board that is not yet final with any:

(A) Justice whose duty it is to review the recommended
punishment contained in a judgment or settlement; or

(B) Trial level judge whose duty it is to hear an appeal
from the judgment of the hearing panel.

(2) Subdivision (1) of this subsection shall apply to any member of
the board, district committee, hearing panel, the board's investigative
counsel, or any member of the board's or counsel's staff.

(b) It is an offense for any person to whom subsection (a) applies to
knowingly release in any manner any information, record, minutes, files or other
documents of the board, district committees or disciplinary counsel, that are

made confidential by Section 25 of Rule 9 of the Rules of the Supreme Court, to the media or any other person if at the time of release the information or document is confidential.

(c) A violation of subsection (a) or (b) is a Class A misdemeanor.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.